

Exhibit 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA, *ex rel.*
SCOTT FOSTER,**

Plaintiff,

v.

**CELLCO PARTNERSHIP D/B/A
VERIZON WIRELESS,**

Defendant.

Case No. 21-CV-166-TCK-MTS

**DEFENDANT’S RESPONSE TO RELATOR’S FIRST REQUESTES FOR PRODUCTION
OF DOCUMENTS TO DEFENDANT CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS**

Defendant Verizon Wireless (“Defendant”), by counsel, submits the following objections and answers and to Relator Scott Foster’s (“Relator”) First Requests For Production of Documents to Defendant Cellco Partnership D/B/A Verizon Wireless, as follows:

GENERAL STATEMENTS AND OBJECTIONS

1. These General Objections are incorporated into each of the specific responses that follow. Notwithstanding those responses, Defendant not waive any of these General Objections.
2. Defendant reserves the right to amend and/or supplement these responses and objections.
3. To the extent that Relator’s definitions and/or instructions purport to impose obligations on Defendant beyond or different than those set forth in the Federal Rules of Civil Procedure, and to the extent responsive information and/or documents are in the possession of third parties, Relator objects to each such Request.

4. To the extent that Relator's Requests call for information or documents covered by the attorney-client privilege, the work product doctrine, or any other applicable privilege or doctrine, Defendant objects to each such Request, and states that no such information or documents will be provided. Even if Defendant later produces information and/or documents in response to the Requests, Defendant does not waive, intentionally or otherwise, its attorney-client privilege, work product protection, or any other privilege protecting its documents or information.

5. Defendant generally objects to the Requests to the extent they are premised on either Relator's contentions that it has stated a viable claim for relief in its Amended Complaint or Relator's contentions that he is entitled to discovery prior to resolution of Defendant's pending Motion to Dismiss the Amended Complaint. On October 2, 2023, Defendant moved to stay discovery in this case pending resolution of the Motion to Dismiss that it would file three weeks later. ECF No. 44. And on October 23, 2023, Defendant moved to dismiss the Amended Complaint. ECF No. 48. Both of those motions remain pending before the Court, and it is Defendant's contention, as spelled out thoroughly in the motion to stay, that discovery is premature and improper at this time because some or all of Relator's claims should be dismissed.

REQUESTS FOR PRODUCTION

1. All Documents that Verizon provided to any governmental agency, regulatory agency, law enforcement agency, or advisory council, relating to the Action or any allegations in the Action.

RESPONSE: Defendant objects to this Request to the because it seeks information that is protected by the work product doctrine, attorney-client privilege, and other privileges, protections, and immunities applicable under governing law. Defendant also objects to the extent this Request because it is overbroad, unduly burdensome, and seeks irrelevant information that is not specific to this case nor likely to lead to the discovery of admissible

evidence. Defendant further objects to this Request because it seeks materials that are already in the possession, custody, or control of Relator, or are equally obtainable from third parties or from some other source that is more convenient, less burdensome, or less expensive. Defendant further objects to this Request because it seeks confidential information, proprietary documents, or trade secrets. Finally, Defendant objects to this Request because Relator fails to state a claim in his Amended Complaint, and Defendant has a pending Motion to Stay Discovery.

/s/ _____
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